

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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333 EAST 60<sup>th</sup> STREET, INC., d/b/a Scores, East,

Plaintiff, 08 Civ. 4147 (RJS)

-against-

NEW YORK STATE LIQUOR AUTHORITY, DANIEL  
B. BOYLE, individually, LAWRENCE J. GEDDA,  
individually, NOREEN HEALEY, individually, and the  
CITY OF NEW YORK,

**ANSWER**

Defendants.  
----- x

Defendant, the CITY OF NEW YORK (the "City"), by its attorney Michael A. Cardozo, Corporation Counsel of the City of New York, for its Answer to the Complaint seeking permanent injunctive relief (the "complaint"), respectfully alleges as follows:

1. Denies the allegations set forth in paragraph "1" of the complaint, except admits that plaintiff purports to proceed as described therein.
2. Denies the allegations set forth in paragraph "2" of the complaint, except admits that plaintiff purports to proceed as described therein.
3. Denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph "3" of the complaint.
4. Admits the allegations set forth in the first sentence in paragraph "4" of the complaint, and denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in the second sentence of that paragraph.

5. Denies the allegations set forth in paragraph "5" of the complaint, except admits that the City is a municipal corporation created and existing under and by virtue of the laws of the State of New York.

6. Denies the allegations set forth in paragraph "6" of the complaint.

7. Denies the allegations set forth in paragraph "7" of the complaint.

8. Denies the allegations set forth in paragraph "8" of the complaint.

9. Denies the allegations set forth in paragraph "9" of the complaint.

10. Denies the allegations set forth in paragraph "10" of the complaint.

11. Denies the allegations set forth in paragraph "11" of the complaint except admits that after receiving a complaint that acts of prostitution were being committed at plaintiff's premises City police conducted an investigation and made numerous arrests for prostitution and related crimes on January 24, 2007 at Scores West.

12. Denies the allegations set forth in paragraph "12" of the complaint except admits that in or about February 2007 the State Liquor Authority suspended the liquor license of Scores West.

13. Denies the allegations set forth in paragraph "13" of the complaint.

14. Denies the allegations set forth in paragraph "14" of the complaint to the extent that they relate to the City.

15. Denies the allegations set forth in paragraph "15" of the complaint.

16. Denies the allegations set forth in paragraph "16" of the complaint.

17. In response to the first paragraph "17" of the complaint, repeats and realleges the responses set forth in the paragraphs hereinbefore as if fully set forth herein.

18. Denies the allegations set forth in the second paragraph "17" of the complaint.

19. Denies that plaintiff is entitled to the relief sought in the WHEREFORE paragraph of the complaint.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE:**

20. The complaint fails to state a claim upon which relief can be granted as against the City.

**AS AND FOR A SECOND AFFIRMATIVE DEFENSE:**

21. The City has not violated any rights, privileges or immunities under the Constitution or laws of the United States or the State of New York or any political subdivision thereof, nor has the City violated any act of Congress providing for the protection of civil rights.

22. Any actions of the City complained of herein were in all respects lawful, proper and constitutional.

**AS AND FOR A THIRD AFFIRMATIVE DEFENSE:**

23. The plaintiff lacks standing to assert the claims set forth in the complaint.

Dated: New York, New York  
May 27, 2007

MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
Attorney for the City defendants  
100 Church Street  
New York, New York 10007  
(212) 442-4050

  
By: PAULA VAN METER

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Defendant(s).

**ANSWER**

***MICHAEL A. CARDOZO***

*Corporation Counsel of the City of New York  
Attorney for City of New York  
100 Church Street  
New York, N.Y. 10007*

*Of Counsel: Paula Van Meter  
(212) 442-4050  
L. M. No. 2008-018266AL*

*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 200.....*

*..... Esq.*

*Attorney for.....*